

MEMORANDUM TO
The Honorable Dora L. Irizarry
United States District Judge

Defendant: Pauline Wiltshire
Docket No.: 11-CR-164-01

This memorandum is to update the Court as to the events that have occurred subsequent to the disclosure of the Probation Department's previous memorandum, dated April 23, 2012. As the Court is aware, the defendant was sentenced on April 16, 2012, to time served with three years of supervised release. As detailed in the previous memorandum, information pertaining to the defendant was brought to the attention of the undersigned officer which required investigation.

On April 23, 2012, the Court ordered a show cause hearing, originally scheduled for April 27, 2012, but subsequently rescheduled for May 10, 2012, in an amended order dated April 24, 2012. The Court also ordered that the Probation Department provide an updated status report as to the above mentioned investigation no later than May 7, 2012. The investigation, which was primarily conducted by USPO Barbeau in the District of Ohio and USPO Rapier in the District of Kentucky, revealed the following.

On April 25, 2012, USPO Barbeau spoke to the defendant regarding the Probation Department's memorandum and the Court's order. The defendant reported that she had been in Lexington, Kentucky recently (after her sentencing) and thought she was still allowed to go there since her bond conditions allowed it. Barbeau advised her the travel permission is no longer in effect since she is no longer on bond. He also told her to stay in the Southern District of Ohio unless granted permission to travel.

On April 26, 2012, USPO Barbeau called the undersigned officer and provided the following update. USPO Rapier determined the owners of the Lexington address under investigation to be Sacha and Stephanie Diaj. On April 25, 2012, Rapier traveled to the address and interviewed several neighbors, who were notably cautious about getting involved in this situation. Statements taken from the neighbors indicate that the couple is separated, possibly divorced, and defendant is dating Mr. Diaj. The neighbors indicated that the defendant stays at the residence with Mr. Diaj, but they could not be sure of how often she stays there because she parks her car in the garage.

Also on April 25, 2012, USPO Rapier traveled to Platinum Plus and conducted a group interview with Ryan Strange, the day manager, Emilio Hernandez, the general manager, and Jerry Adamany, a part owner of the club. These individuals confirmed that

the defendant, who dances under the stage name of “Lexus,” has been an independent contractor for the club for several years. Given that all of the exotic dancers are independent contractors, and not paid a salary, the usual employee records are not available. Rapier was provided with twenty-six logs ranging from February 1, 2012 to April 18, 2012 which reflect “Lexus,” the stage name for the defendant. These logs have the stage names of the girls that danced on that particular day and they account for the house fees. All three of the club employees advised Rapier that the defendant is the only “Lexus” that they have working at the club at this time.

While at Platinum Plus, Rapier also conducted an interview with Heather Frazier who works as a dancer there. Ms. Frazier dances under the name “Heather” and reported that she has been a close friend to the defendant for approximately a month. Ms. Frazier advised that the defendant has been staying in Lexington, Kentucky approximately four to five days a week with her boyfriend, Sacha Diaj, over the past month. She knows this because she personally sees the defendant on these days. Ms. Frazier was questioned as to the last time Ms. Wiltshire danced at Platinum Plus. Ms. Frazier indicated that it was on April 18, 2012. A review of the dancer log for that day shows that “Lexus” and “Heather” both worked on that date. When questioned as to whether or not Mr. Diaj had ever taken the defendant outside of Kentucky, Ms. Frazier advised that he recently took her to Gatlinburg, Tennessee.¹ Ms. Frazier was confused regarding when this trip took place. She couldn’t remember if it was a month ago or just a couple of weeks ago.

On April 30, 2012, USPO Rapier provided copies of the above referenced logs, a written report of the above information, and a copy of a traffic citation, received by the defendant in Lexington, Kentucky, in the proximity of Platinum Plus, at 1:47 am, on February 22, 2012.

In summary, the Probation Department’s investigation has concluded that the defendant has been working as an exotic dancer at Platinum Plus for several years. She was therefore working there since the onset of her presentence investigation, and throughout her time on pretrial release, without reporting this employment or the income earned from this employment to either the undersigned officer or the Pretrial Services officer who supervised her while on pretrial release. In addition, per the defendant’s own admissions to USPO Barbeau, and as corroborated by Platinum Plus’ logs, the defendant danced there on April 18, 2012, two days after her sentencing. Notably, the club is located in Lexington, Kentucky. As a condition of her supervised release, the defendant is not to leave the judicial district without permission of the Court or probation officer, and she was granted permission to travel to the District of Ohio only. On April 16, 2012, she signed and dated a form, acknowledging her understanding of her conditions.

¹Gatlinburg, Tennessee is a popular tourist destination.

Since the Court has scheduled a hearing for May 10, 2012, and has indicated the possibility that the judgment in this case may be revoked, the Probation Department is taking no formal action at this time. If the Court has any questions regarding the information discussed above, please contact the undersigned officer.

RESPECTFULLY SUBMITTED:

EILEEN KELLY
CHIEF U.S. PROBATION OFFICER

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Date: May 7, 2012